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**Special Message**  
of  
**Gov. Malcolm R. Patterson**

*Tennessee*, **State**  
**Highway Commission and**  
**Road Improvement**  
**in Tennessee**

To  
**The Fifty-Seventh General Assembly**  
**State of Tennessee**

**January 10, 1911**

11-33059



# SPECIAL MESSAGE

OF

## Gov. Malcolm R. Patterson

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### State Highway Commission and Road Improvement in Tennessee

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*To The Honorable Members of the Senate and House of Representatives:*

On my recommendation, the Act of 1909, Ch. 561, passed May 1st, 1909, approved May 1st, 1909, was passed by the last Legislature providing for a State Highway Commission, whose duty was to consider the general subject of improving our public road system and to make report to the General Assembly. Acting under the authority of this Law, I appointed the Hon. E. C. Lewis, of Nashville, as Chairman, the Hon. W. J. Oliver, of Knoxville, and the Hon. H. W. Brennan, of Memphis, as the other members of the Board.

They have brought to the study of this question a very high order of skill and ability, unselfishly and patriotically giving their time and labor without any compensation whatsoever.

Whether in your wisdom you should see fit to adopt all the recommendations of these gentlemen, their views are entitled to receive, and I am sure will receive, that earnest and careful consideration at your hands which the vital importance of the subject deserves, and I trust that from their suggestions and your own investigations some plan may be devised which will

at the earliest possible time give to the people a modern and practical plan of good road construction which will supersede our present useless and antiquated system.

In view of the necessity for a change, the general interest and the urgent needs of the people, I have concluded to lay before your honorable bodies the reports of the Highway Commission at the earliest possible time and in a separate message, reserving other recommendations for a general message which will be presented later to your honorable bodies.

The subject of good roads is in no sense partisan or political, but appeals to all classes for all will share in the incalculable benefits which will be sure to follow intelligent and well directed legislation.

I now transmit:

1st. The general report of the whole Committee signed by all the members thereof and marked Exhibit "A."

2d. The special report of Hon. N. W. Brennan, marked Exhibit "B."

3d. Suggestions for a road law or laws marked Exhibit "C."

All of which I incorporate as part of this message, and I respectfully request that a sufficient number of copies be printed, as may be necessary for the full information of all who are making a study of the good roads question.

As Governor, I desire to return to the members of the Board my thanks for the valuable public service they have rendered the State.

MALCOLM R. PATTERSON,  
*Governor.*



EXHIBIT "A."

PUBLIC ROADS COMMISSION OF TENNESSEE.

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NASHVILLE, TENN., Dec. 22, 1910.

*Hon. Malcolm R. Patterson,  
Governor, Nashville, Tenn.*

DEAR SIR:

By Act of the fifty-sixth General Assembly of Tennessee a State Highway Commission was provided for, to which was assigned the duty of suggesting a system of highways for the State, and, it is assumed, implied the further obligation as to how and under what form of law such a system might be adopted, built or acquired and maintained.

The Commission you were pleased to appoint begs to submit its reports, accompanied by a road map of the State, showing the several kinds of roads it is suggested might be adopted as routes for highways for the State proper, for the districts or for the respective counties, together with a comprehensive suggestion, which is submitted as a draft for a serviceable highway law which the Commission believes will, in time deemed reasonable, give to the State a system of highways and provide for their maintenance.

The probable mileage and estimated cost of the several grades of roads embraced in the suggested system is shown herein. Inasmuch as no appropriation was made for the expense of gathering the data, herewith submitted, it is necessarily approximate in its nature, as without appropriations, no engineers could be employed to actually survey and estimate the location and cost of the several highways suggested. However, the Commission, happily, being composed of men, each reasonably familiar with the Geographical Division of the State for which he was appointed, and, to a considerable degree, with road building in all its detail, feels the estimates submitted will be approximately near the cost, in both time and money, to the State if the affairs of the Highway Commission are put

into competent and patriotic hands. The crude, unintelligent and expensive plans heretofore employed should be abandoned and the system herewith submitted should be made a base to determine, as the suggested law provides, through a permanent State Highway Commission, a complete system of highways. This permanent commission should be provided with ample appropriations to carry out the plan it may determine after careful, personal examinations and accurate surveys of the entire State.

The topography, geology and commerce of the State of Tennessee are so variable, containing, as it does, within its boundary, the exaggerated altitudes and full formations of the mountainous division in the East, with all varieties of products and commerce; the composite lay of the fertile Middle Section, with an equally comprehensive commerce, and the alluvial Western portion, embracing its large traffic, though fewer commodities—each section of the State being so different in highway requirements, construction and maintenance, that no set style of road is recommended for any particular portion of the State, nor for the whole, it being deemed best to lodge full power in the permanent Commission, provided for under the proposed law, to determine and execute the various details of road construction and maintenance as in their judgment may best serve the requirement and economies of the whole.

The Commission finds the General Government through its Agricultural Department, is giving a great deal of attention to the matter of roads throughout the country—that so far only experimental pieces of roads have been built under the direction of said department—that instructors, engineers and speakers have been furnished by the department to attend the principal Good Roads Conventions, but that so far only a campaign of education has been attempted by the General Government.

The Commission, through personal interviews with members of Congress and the Senate, as well as heads of departments and Government engineers, discovers that no appropriations have latterly been made by the General Government to build roads or aid in building them, except on Government reservations; that the lack of constitutional provision is advanced by many members, and that only for post roads is it deemed probable

that the Government may aid in the construction and maintenance of the highways throughout the country. To be sure, these post roads so nearly cover the whole system of highways desired, it would seem the aid of the National Government may yet be enlisted for the desired end.

Accompanying this report is Scarbrough's Comprehensive Road Map of Tennessee. It shows each county, city, town, river and road in the State, with tabulated list of the voting population of each county, and all the towns and cities of the State with the voting population of each county, and all the towns and cities of the State with the population of each under the 1900 census.

A route of a suggested State highway system has been laid down in green on said map as your Commission's idea as near the desirable lines to be adopted.

Beginning at Memphis—running through—

Somerville,	Crossville,
Jackson,	Rockwood,
Lexington,	Harriman,
Linden,	Oliver Springs,
Hohenwald,	Knoxville,
Columbia,	Jefferson City,
Franklin,	Morristown,
Nashville,	Bulls Gap,
Murfreesboro,	Greeneville,
Woodbury,	Jonesboro,
McMinnville,	Johnson City,
Sparta,	Elizabethton,

Bluff City—to Bristol—a distance of 500 miles.

From Memphis, it is suggested, a branch highway should be built to the Mississippi line.

From Jackson a branch highway via Humboldt, Trenton, Rutherford and Union City to the Kentucky State line near Hickman, in the direction of St. Louis, Mo.

From Columbia a branch should be built to the Alabama State line, via Lewisburg and Fayetteville, in the direction of Huntsville, Ala.

From Nashville, a branch should be built to the Kentucky State line, via Clarksville, in the direction of Hopkinsville, Ky., and Evansville, Ind.



From Nashville, a branch should be built, via Gallatin and Mitchellville, to the Kentucky State line, in the direction of Louisville, Ky.

From McMinnville, a branch should be built via Dunlap and Daisy to Chattanooga, and on to the Georgia State line, in the direction of Atlanta, Ga.

From Greeneville, a branch should be built to the North Carolina line in the direction of Hot Springs, N. C.

Total State Highways:

Main Highway, Memphis to Bristol . . . . .	500 Miles
Memphis to Mississippi Line . . . . .	12 Miles
Jackson to Kentucky line, North . . . . .	62 Miles
Columbia to Alabama line, South . . . . .	55 Miles
Nashville to Kentucky line, West . . . . .	60 Miles
Nashville to Kentucky line, North . . . . .	50 Miles
McMinnville to Chattanooga . . . . .	60 Miles
Chattanooga to Georgia line . . . . .	7 Miles
Greeneville to North Carolina line . . . . .	20 Miles
Total . . . . .	<u>826 Miles</u>

It is estimated this highway should be built for \$2,400,000.00 using in part such roads as are now suitable to become a part thereof.

For inter-county roads, each of the counties will require an average of 50 miles, making 4,800 miles, and for county roads proper, likely about the same mileage, viz.: 4,800.

It is estimated the 4,800 miles of inter-county roads would cost, if built entirely on new lines, \$2,000.00 per mile. However, as the present country roads and turnpikes occupy desirable routes that should be adopted as a whole or in part to complete a permanent highway system, it is estimated \$500.00 per mile, judiciously expended, would turn these roads into permanent ones. And so, for the county road proper, a similar cost of \$500.00 per mile, should give each county sufficient roads, the districts providing the more local roads in their own time and way.

The State Highway . . . . .	826 Miles, Estimated Cost, \$2,400,000
Inter-county Roads . . . . .	4,800 Miles, Estimated Cost, 2,400,000
County Roads . . . . .	4,800 Miles, Estimated Cost, 2,400,000
	<u>10,426 Miles, Estimated Cost, \$7,200,000</u>



which, if built in ten years, will require \$720,000.00 per annum.

These 10,426 miles will, when completed, cost annually to maintain about \$600,000.00. It now costs the people of the State of Tennessee, in labor, road tax, teams and material, about \$3,000,000.00 annually to keep up its inadequate and unsatisfactory roads.

The Commission urgently recommends:

That State-wide laws be passed, permitting counties to issue bonds for road purposes.

That a State Highway from Memphis to Bristol be built at the expense of the State, with such branches as the Highway Commission may recommend.

That the State convicts shall be used in highway construction, both State and county; only convicts whose health, age and other personal conditions fit them for road work to go or remain at any road working camp or quarters; and

That the relation of the width of the tire of wheels to the heft of the load on public highways, be given attention by the law makers and that a law be passed wherein it shall be provided that only tire of standard width in proportion to the load, determined with consideration for the least wear on the surfaces of the State roads, shall be permitted the use of said roads.

That no man be required to perform duty on public roads until he has been a resident of district in which this service is required one year.

Your Commission begs to express the hope it entertains and makes an earnest plea for the co-operation of all the people of Tennessee, that this matter of road building and maintenance be soon satisfactorily systematized, so that a beneficial end may result and the State take its rank among the well developed and advancing States of the Union.

All of which is

Respectfully submitted,

(Signed) W. J. OLIVER, East Tennessee,

(By H. W. Brennan)

E. C. LEWIS, Middle Tennessee,

H. W. BRENNAN, West Tennessee,

*Commissioners.*

EXHIBIT "B."

SPECIAL REPORT  
PUBLIC ROADS COMMISSION OF TENNESSEE.

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PROPOSED PUBLIC ROAD LEGISLATION.

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*Gov. M. R. Patterson,*  
*State Capitol,*  
*Nashville, Tenn.*

HONORABLE SIR:

The ideal in Public Road Legislation would be the greatest blessing the Legislature could confer on the citizens of Tennessee.

In its main features the majority report of the Commission, filed at this time, provides for the ideal, and in this aspect meets my approval. However, great public changes usually occur by easy steps, following the natural law of pushing out only at the points of least resistance; therefore, believing ultimately a perfect system of good roads and a complete system of Public Road Laws can be obtained through progression rather than radicalism in legislation, and believing that the greatest advance along this line for the present can be accomplished by asking for reasonable legislation, rather than for the ideal, I have the honor to submit for your consideration the following discussion:

The general subject of needed public road legislation can be considered under five heads, namely:

1. State Aid.
2. State Highway System.
3. State Highway Commission,
4. County Public Road Bond Issues,
5. Amendment to the present Road Working Law.

STATE AID.

The State aid principle has been accepted by the most progressive States of the Union, and is in practical effect throughout the countries of the civilized world. The State aid idea is founded upon several common-sense principles:

First, the State can borrow money at a less rate of interest than can the county, and every dollar saved on interest means a dollar saved to the tax payers of the State at large.

Second, State aid does more to stimulate public road construction, with a uniform degree of activity throughout the State, than does any other known form of State legislation; thereby bringing about the identical object for which the State aid principle is applied, namely, that of inducing counties to build good roads.

The State aid principle, as related to the aid given by the State to the counties of certain sums of money in aid of county road construction, becomes more advisable as the wealth of the State per square mile of its area increases. Under this view, a very wealthy State can easily afford to pay one-third of the cost of the construction of county roads; on the other hand, such liberal aid would be impossible with a sparsely settled State. To illustrate this point, assume that one State had only one inhabitant and that a poor man; such a State could build no roads. Considering this fact in connection with the limited means of Tennessee, it is necessary to devise a State aid plan, which will accomplish the desired result of stimulating activity in public road construction, and yet one that will be possible out of the limited revenue of the State of Tennessee.

*The Convict Problem.*—Taken in connection with the State aid principle, there can be worked out a reasonable solution of the ever vexatious problem, what to do with the State convicts, so as to remove their labor from competition with that of free men. The proposition to lend convicts to the counties of the State for public road work is not an economical one, for the reason it is cheaper to maintain and work convicts at permanently located camps rather than in moving ones.

I therefore recommend that the State of Tennessee gradually withdraw its convicts from the State coal mines, and that the labor of these men be used in applying the State aid principle of giving aid to counties in the construction of county roads, on the following basis, namely:

That the State acquire stone quarry sites and paving chert deposits at various locations within the State, which locations



have strategic value from a transportation standpoint; the stone quarries to be selected where stone of suitable quality is available and chert deposits, where available, and in the absence of stone. This plan will probably require ten operations, so that the transportation of the stone and chert products to every county in the State will be reduced to a minimum. Each of such operations would require from twenty-five to one hundred and fifty convicts. THE PRODUCTS FROM THESE QUARRIES AND CHERT PITS TO BE LOADED F. O. B. CARS AT THE PITS AND PRESENTED TO THE COUNTIES OF THE STATE, EITHER IN PROPORTION TO THE REVENUE WHICH EACH COUNTY CONTRIBUTES TO THE STATE. This system to be installed by easy stages so as not to embarrass the State in the ultimate disposition of its coal properties.

This plan seems strong from several standpoints:

*1st.* There is a deep seated prejudice in the minds of the citizens of Tennessee against convict labor competing with that of free men. This plan would accomplish the solution to this problem for at least 50% of the State's convicts, and yet would not disturb the present system of leasing convicts, now in vogue at the State penitentiary, whereby many men are learning to be skilled artisans, and who will consequently be better fitted to earn an honorable living when discharged. For the present, this plan would be of splendid aid and encouragement to the counties in the building of public roads, AND WOULD ALSO BE ENTIRELY WITHIN THE MEANS OF THE STATE TO BEAR.

This system would also obviate the present prejudice against placing too much authority on the shoulders of the proposed State Highway Commission in the handling and disbursement of public funds. Every county would get its just share of road building material. The execution of this plan should be placed entirely in the hands of the State Highway Commission.

#### STATE HIGHWAY SYSTEM.

*The Theory.*—The theory upon which the progressive States of the Union are constructing systems of State highways is:

THAT THE FEDERAL GOVERNMENT WILL EVENTUALLY TAKE OVER AND MAINTAIN AS A NATIONAL HIGHWAY SYSTEM, ALL STATE HIGHWAYS WHICH ARE INTERSTATE IN THEIR CHARACTER.

Onrushing public sentiment, which is daily gaining force in a demand for a National highway system, cannot be resisted by Congress longer than ten more years, and at that time the burden of maintaining these long distance highways will be entirely taken over by the National Government.

*The Routes.*—State highways should follow the lines of densest population, regardless of directness; therefore, the first Tennessee highway should extend from Memphis to Nashville, thence to Knoxville via Chattanooga, ending at Bristol; and should not be located from Nashville crossing the Cumberland Plateau to Rockwood, for the reason that the density of population over this route is entirely disproportionate to the expense of maintaining the road.

Long distance highways must be of sufficient value to the immediate territory traversed to absolutely justify the cost of construction and maintenance, and such long distance pleasure driving as will be done, should be a secondary consideration in the location of State highway.

All progressive States now have on foot in various stages of realization, State highway projects, so that within a very few years it will be possible to go from one to any other population center of the United States over continuous highways of easy grades, thorough construction and properly maintained.

From a strip of territory within twenty miles of the above proposed route, the State of Tennessee now derives 92% of the State's entire revenue from counties. Again, of the ninety-six counties of Tennessee, four, namely, Shelby, Davidson, Hamilton and Knox, pay 48% of the State's entire revenue derived from counties, so it will be clearly understood that the four counties above named will pay one-half of the cost, and practically every cent of the remainder of the cost of the proposed State highway will be assessed against the territory traversed by such a road.

The cost of the State highway should be entirely borne by the State so that no one county, by refusing to co-operate, could defeat the project, and for the further reason that the most expensive construction occurs in the poorest counties; and for the further reason that it would be unconstitutional to tax the abutting property with the cost.



The task of locating and constructing the proposed State highway roads should be assigned absolutely to the proposed State Highway Commission. Inasmuch as the State is not ready at this moment to make an appropriation of several million dollars to cover the construction, in a first class manner, of the proposed State highways, I recommend:

First, That the State declare its purpose to construct a system of State Highways.

Second, That the proposed State Highway Commission be instructed to immediately perform the engineering and other work necessary to the selection of routes, together with the preparation of careful estimates on costs, all for submission to the Legislature of 1913.

Third, That the State Highway Commission be authorized to officially select highway routes, and that all routes so selected by them be placarded with sign boards so stating, to the end that various counties of the State, once sure of the permanency of these routes, will gradually work along these lines, thereby reducing the ultimate cost of construction to the State.

While an annual working period for the free construction of a State highway is a most excellent idea, yet the citizens of Tennessee desire that these highways be strictly first class in location, grades, construction and maintenance, to accomplish which it will ultimately be necessary to expend several million dollars.

#### THE STATE HIGHWAY COMMISSION.

I recommend the establishment of a permanent State Highway Commission, to be composed, as at present, of three members, one from each of the grand divisions of the State; that the chairman of this Commission, who must necessarily be a man of good executive ability, shall be paid a salary of \$3,000.00 a year, and that the other two members be each paid \$1,500.00 per year, and that a State engineer be employed by this Commission, whose salary shall not exceed \$3,000.00 per year.

I recommend that the State engineer shall not be a member of the Commission, for the reason that should his services be



unsatisfactory, the Commission must be in a position to discharge him. The Commission must have a secretary whose salary should not exceed \$1,200.00 per annum, and all members should be allowed traveling expenses when away from their headquarters on business of the Commission.

The State Highway Commission should be charged with the following duties:

*First*, With furnishing engineering advice as to the location of roads, and specifications for the construction of roads, to the various counties of the State, without charge to the counties. By this method, it will be possible to gradually standardize road construction throughout the State.

*Second*, With compiling a map of the State showing and classifying all public roads, and with the collection of all data pertaining to public road construction, all of which is to be distributed free throughout the State in the form of periodical bulletins.

*Third*, With the selection of routes for the proposed State highways, together with having made all necessary surveys, etc., all for submission as above to the Legislature of 1913.

*Fourth*, With the operation of the above proposed plan of producing with convict labor road paying products for free distribution to the counties: The convicts so used, to be under the jurisdiction of the Prison Commissioners as at present.

In order to overcome any hesitancy on the part of the Legislature in entrusting all of these operations to one Commission, it would probably be sensible to provide the public with a right of appeal from any action of the Commission to an Appellate Board, to be composed of the Governor of the State, together with two other members to be appointed by him.

#### COUNTY PUBLIC ROAD BOND ISSUES.

I recommend an Act authorizing every county in the State to issue bonds for the purpose of constructing county roads to the extent of 10% of the assessed value of the property therein. Such a law is very necessary to facilitate the construction of public roads in Tennessee for two reasons, namely:

(1) Should a county decide in 1911 to construct roads, it must wait two years before getting authority from the Legislature to issue road bonds.

(2) Before an issue of county road bonds can now be sold, it is necessary that the Act be passed upon by an expert bond attorney, and many such enabling Acts have been declared void by such attorneys, thereby bonds being rendered unsalable, and delaying the proposed work.

#### AMENDMENT TO THE PRESENT ROAD WORKING LAW.

I recommend the absolute repeal of the present feature of the Tennessee Road Law, under which citizens between certain ages are now required to annually work the public roads. This recommendation is based on the failure of the present law to get results anything like commensurate with the expenditure of time and money. However, if this feature cannot be repealed entirely, it should be amended so as to require no one to work the public roads until after having resided one year within the district in which this service is required.

The above outlined plan in condensed form can be summed up as follows:

(1) No infringement occurs on the internal government of the counties; the recommendations therein contained only act to the extent of making contributions by the State to the counties.

(2) While a nominal appropriation would be required at this time, yet no expenditure of any great sum is advised.

(3) The State aid principle to counties in the construction of county roads is combined with a partial solution of the convict labor problem in a plan which only involves true economy and progressive legislation.

(4) It is of patent necessity that a general law be passed authorizing counties to issue road bonds to the extent of 10% of the assessed value of the property therein.

(5) A State Highway Commission and a State Highway System should be made permanent fixtures.

(6) The present feature of the State Road Law, requiring

men between certain ages to work the county roads for a certain period during each year, should at least be changed so that a person will have to be a resident of the district in which he is wanted to work the road, for one year before being called on for this service.

In conclusion, I wish to go on record as approving the majority report of this Commission as an ultimate end towards which to work, but, for the present, I only recommend as above, believing, as I do, from conversations with many practical citizens of our State, that the plans therein suggested would meet with public approval.

Permit me to thank you for the honor of having served the State of Tennessee on its initial State Highway Commission, and to express my appreciation of your splendid initiative and persistent efforts which have unquestionably produced the present remarkable and State-wide interest in the public road problems of Tennessee.

I have the honor to be,

Yours very respectfully,

(Signed) H. W. BRENNAN,

*West Tennessee Member of  
Public Roads Commission of Tennessee.*

December 22, 1910.



## EXHIBIT "C."

### SUGGESTIONS FOR A LAW RELATING TO A SYSTEM OF PUBLIC ROADS IN TENNESSEE.

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Be it enacted by the General Assembly of the State of Tennessee, that there shall be and is hereby created, a State Commission of Roads, to consist of one member from each of the three grand divisions of the State, and one from the State at large, which latter shall be a civil engineer, experienced in the practice and science of road making and maintenance, and who shall be Chairman of the Commission, with the title of State Engineer.

The Commissioners shall be appointed by the Governor, the State Engineer for a term of four years, and the Commissioners, first for terms of two, four and six years, respectively, in the order first named, and afterwards for terms of four years each.

The salary of the State Engineer shall be \$3,000.00 per annum, including expenses other than ordinary. He shall give his entire time to the State and counties on road work. The salaries of the other members of the Commission shall be \$1,500.00 per annum, including expenses, incurred in the performance of their duties.

Upon appointment and qualification by taking an oath to properly and faithfully perform the duties assigned by this act, the Commissioners shall organize, as provided, and shall appoint a secretary, whose duty it shall be to keep all accounts and correspondence, and perform the usual duties of a secretary, at a salary of \$1000.00 per annum.

The principal office of the Road Commission shall be at Nashville, but it is hereby made obligatory on the Commission to first visit each county seat in the State, and to meet in session at least once each year, for such time as the work in hand may require, at each of the following points:

Wartburg	Chattanooga	Sparta	Bolivar	Jackson
Jonesboro	Tullahoma	Columbia	Dyersburg	Paris and
Knoxville	Carthage	Linden	Memphis	Clarksville

for the purpose of becoming perfectly familiar with the road requirements for the respective sections, of which the above named points are assumed to be centers, and carefully study the roads and the road requirements of the entire State, so as to intelligently provide and maintain a complete system of highways.

It shall be the duty of the Commission to prepare a system of roads for the entire State, embracing all the counties of the State, said roads to be so located as to best serve the public interests and provide proper transportation for traffic, trade and travel.

The public roads are to be divided into five classes:

1. Roads to be known as State roads, to be built entirely at the expense of the State, and to have a standard width, grade and character of construction, fitted to that section of the State in which the road lies, the material at hand and the traffic and travel using the road, and to be so located as to become an integral part of a system of Interstate or National Roads.

2. Inter-county roads, traversing or lying in two or more counties, to be built at the expense of the counties through which said roads may be located, each county paying the expense of construction and maintenance of that portion within the county, such pro rata to be determined by the Commission.

3. County roads, embracing roads located entirely within the limits of one county, to be built and maintained at that county's expense.

4. Inter-district roads, traversing or lying in two or more county districts, to be built at the expense of the districts within which said roads are located, each district paying for that portion of the road built and maintained within said district, or that proportion determined by the supervisor, hereinafter provided for.

5. District roads, embracing roads located entirely within the limits of one district, to be built and maintained by the district.

After the adoption of the Road System, as hereinafter provided, the Commission is empowered to purchase turnpikes suitably located and constructed to take the place of any class of road to which said pike is adapted, and to be paid for in such

manner as such class of road would be paid for, if built as provided. It is also empowered to take in charge all public roads now existing in the State.

The Commission is empowered to change the class of road at any time that the uses and requirements suggest, such change to better accommodate the traffic and travel for economic reasons or other causes in the interest of the State, county or district.

The Commission shall prepare, by January 1, 1913, a complete plan and comprehensive map of a system of roads of all kinds and classes throughout the State, so designated by color or otherwise on said map as to readily distinguish the kind, class and character of each road in the system, and showing the towns or cities and principal points and neighborhoods served by said roads, and the amount of travel and tonnage estimated and shown on the map. There shall accompany said map an estimate of cost, in detail, of purchase or the construction, rebuilding or betterment of each road and for all the roads in each county, and of the whole system, all of which shall be submitted to a board of approval, to consist of the Governor, as Chairman, the Secretary of State and the Comptroller of the State, each of whom shall be paid ten dollars for each day's meeting on State road matters. Said meeting to be held in Nashville, as soon as the Road Commission may have completed their system, maps and reports.

The cost of preparing, surveying, mapping, exhibiting and adopting said system of roads shall be borne by the State, and shall not exceed twenty-five thousand dollars.

Upon approval by this Board, the Road Commission shall be empowered to proceed with the purchase, construction and maintenance of said system of roads, with such celerity and thoroughness as the appropriations made for the respective purposes shall permit within the time hereinafter provided.

Whereupon an annual assessment shall be made by the Commission against each county in the State to furnish its pro rata of road to be built, bought and maintained during the year, with specifications of the kind, class and character of road, so as to complete the entire State and county highway system by January 1, 1923.

Should any county furnish during any year more mileage of



road or roads than assigned by the Commission as the proportion of said county for that year, provided said road or roads are a part of the adopted road system and properly built, credit may be given said county on road account for the year following; but, should any county fail to furnish, during any year, the quota of road or roads apportioned to that county by the Commission, in order to complete the road system, as provided and adopted by the State, then the Road Commission may proceed, at the expense of the State, to build or buy and maintain roads in said county to such an extent as to furnish said county's quota of roads, the cost of which shall be a debt on said county due to the State of Tennessee, and shall be paid in such manner as the State may provide, or as herein provided.

The Road Commission shall organize a road force in each county in the State, for such time as said Commission shall deem best, to consist of a Supervisor, who shall be a man skilled in road making, with such number of men, tools and teams for road building and repairing as the respective needs may require; and the Road Commission is authorized and empowered to use the convicts of the several counties, or of the State, as herein provided, both in the original construction of the public road system and in its maintenance.

It shall be the duty of the supervisor to carry out the plans and instructions of the Road Commission relative to location, grade and alignment, the number of miles of each character of road to be built or bought in each county each year, and the roads to be repaired and maintained, and in what manner.

The supervisor of roads shall have charge of all public roads in the county in which he has been appointed, or, if the Commission so orders, he may have charge of the roads of more than one county.

The supervisor may, with the approval of the Road Commission, appoint one or more assistants.

The supervisor shall purchase all material and employ all labor, teams and tools to properly execute his trust, and be subject to immediate removal for failure in any respect.

The supervisor shall make to the Road Commission detailed monthly reports, covering each calendar month, of all expenditures of every character, and receive payments therefor from the trustee of the county in which the work has been done or

for which the material has been purchased, on warrant or voucher properly and fully setting forth the character of the work done or material bought, and by and whom from. He shall take receipt for all moneys paid over, which receipt shall be turned in by the supervisor to the trustee, and by him attached to the voucher and filed as an exhibit of expense on road account. Should any money or warrant for any reason be not paid over, the supervisor shall return the same to the trustee.

The road supervisor shall receive two and one-half dollars (\$2.50) for each day of service rendered. The per diem of labor and teams, and the price paid for material shall not be more than is locally customary, nor the hours of service less. Payments shall be made weekly.

The provision for all road expenses shall be by appropriation.

The manner of providing the money so required shall be by tax levy covering the whole State, and by counties in such proportion to the State and for each county, as the approved system of roads may require, and in such amounts annually as to insure the completion of the entire road system in ten years from the date of the adoption of the system hereby created.

It shall be the duty of the Road Commission to determine for the year 0000, and regularly each succeeding year thereafter, the mileage of each class of road to be repaired, built or bought by the State or by the respective counties, and to further determine the amount to be annually expended on maintenance of each and every State road, and how expended; also the roads of the counties respectively, and to make a report to the State comptroller, January 1, of each year, and to each county court, at its January term, of so much of the information as is to its germain. Accompanying said report shall be a requisition on said comptroller and on the chairman of each county court in the State, to provide such an amount or amounts as will pay the sum or sums estimated by said Commission to be the cost of construction or purchase and maintenance of the roads in each county so determined to be built, bought, bettered and maintained, or to provide labor, free or convict, for same.

Whereupon, it shall be the duty of said comptroller to include in the budget of expense for that year such an amount as will pay the cost of all State road construction, betterment or purchase, and maintenance, for that year, and to provide funds

for the payment from taxes received for said purpose, less the amount estimated to be furnished in labor, free or convict, teams, etc.

It shall also be the duty of the chairman of each county court, at the January term, to include in the expense budget for that county of which he is chairman, the amount so required by the Road Commission, for roads to be built, bettered, bought or maintained, that year, and it shall be the duty of the county court to provide said sum by appropriation out of the taxes levied for that year, together with such personal road service as is now provided under the Acts of 1901, Chapter 136, Section 5.

The Commission shall have the right to change the location of any road now existing or that may be bought or built, as provided for in this Act, and to secure the right-of-way therefor, as well as for new roads, together with gravel, stone or other road material, by grant, purchase or condemnation of such real estate as may be necessary for such road or containing good road material; the manner of such condemnation to be as defined in Sections 1325 and 1348, inclusive of the Acts of this State, same being incorporated in Shannon's Code, in Sections 1844 to 1869, inclusive.

That all road laws now in effect in this State be in force 'til the adoption of road system herein provided for, whereupon, the Act shall take effect to the exclusion and nullification of all conflicting laws.

That so much of this law as creates the Commission and provides for the creation and adoption of a complete system of roads and the payment therefor shall take effect immediately, the public welfare requiring it.

For the Commission,

(Signed) W. J. OLIVER,

(Signed) E. C. LEWIS,

*Chairman.*





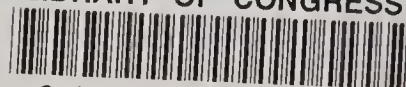








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